

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>****I. EXECUTIVE SUMMARY**

Date of Incident:	March 29, 2016
Time of Incident:	9:15 p.m.
Location of Incident:	[REDACTED]
Date of COPA Notification:	April 1, 2016
Time of COPA Notification:	3:54 p.m.

On March 29, 2016, [REDACTED] and [REDACTED] were pulled over by Police Officer [REDACTED] star # [REDACTED] and Police Officer [REDACTED] star # [REDACTED] for having a tail light out. [REDACTED] did not have her driver's license on her, so the officers handcuffed her and placed her into the back of the squad car. [REDACTED] alleged PO [REDACTED] refused to loosen her handcuffs after she told him they were too tight. [REDACTED] alleged PO [REDACTED] did not stop at red lights on the way to the police station. [REDACTED] alleged both officers refused to call a supervisor for her to speak with. [REDACTED] went to Cook County Hospital after being released from lockup and was diagnosed with left wrist sprain, abrasion.

**II. INVOLVED PARTIES**

Involved Officer #1:	[REDACTED] star # [REDACTED] employee ID # [REDACTED] DOA [REDACTED] [REDACTED] 2012, Police Officer, [REDACTED], DOB [REDACTED] 1983, Male, White
Involved Officer #2:	[REDACTED] star # [REDACTED] employee ID # [REDACTED] DOA [REDACTED] 2015, Police Officer, [REDACTED], DOB [REDACTED] 1983, Male, White
Involved Individual #1:	[REDACTED] DOB [REDACTED], 1993, Female, Black

**III. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	1. Failed to contact a supervisor when [REDACTED] [REDACTED] requested in violation of Rule 10.	Exonerated

<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

	<p>2. Handcuffed [REDACTED] too tightly in violation of Rules 8 and 9.</p> <p>3. Failed to loosen the handcuffs when [REDACTED] requested in violation of Rules 8 and 9.</p> <p>4. Pulled and pushed [REDACTED] into the squad car in violation of Rules 8 and 9.</p> <p>5. Issued two traffic citations to [REDACTED] without justification in violation of Rule 2.</p>	Not Sustained Not Sustained Exonerated Exonerated
Officer [REDACTED]  [REDACTED]	<p>1. Failed to contact a supervisor when [REDACTED] requested in violation of Rule 10.</p> <p>2. Drove the police vehicle through red lights at intersections with no emergency lights activated, while [REDACTED] was seated in the backseat in violation of Rule 11.</p>	Exonerated Not Sustained

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

1. Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
2. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
3. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
4. Rule 10: Inattention to duty.
5. Rule 11: Incompetency of inefficiency in the performance of duty.

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##### General Orders

1. General Order G03-03-02: Emergency Vehicle Operations – Nonpursuits
2. General Order G03-02: Use of Force

## V. INVESTIGATION<sup>2</sup>

### a. Interviews<sup>3</sup>

On April 1, 2016, complainant [REDACTED]<sup>4</sup> provided a statement to IPRA. [REDACTED] reported on March 29, 2016 at approximately 9:25 p.m., she and her boyfriend, [REDACTED] were pulled over by a marked Ford Explorer. The driver officer, now known to be PO [REDACTED] approached [REDACTED] and told her they pulled her over because her tail light was out. He asked for her driver's license and insurance. [REDACTED] reported she did not have her driver's license on her but could call home to get the number for the police officer. [REDACTED] also related they were stopped right next to her home and offered to walk over to get the driver's license number. The officer in the passenger seat, now known to be PO [REDACTED] got out of the squad car, approached [REDACTED] and told her she needs proof of identification to operate a vehicle. PO [REDACTED] then said he was going to write [REDACTED] a ticket for having a tail light out. [REDACTED] said that she asked to see the tail light and, according to her, PO [REDACTED] became upset and threw the ticket book into his car. [REDACTED] said PO [REDACTED] then said he was taking her down to the police station because she had no driver's license and he was not able to find her in the computer.

[REDACTED] said she requested to call her lawyer at that point and asked PO [REDACTED] to call a sergeant to the scene, which he refused to do.<sup>5</sup> [REDACTED] said PO [REDACTED] tried to take her phone when she attempted to call her lawyer. [REDACTED] said PO [REDACTED] "denied [her] that right"<sup>6</sup> to have a sergeant come out. [REDACTED] related that PO [REDACTED] put the handcuffs on her too tight and took her phone. [REDACTED] asked PO [REDACTED] to loosen the handcuffs, but he refused and told her to "stop resisting arrest."<sup>7</sup> [REDACTED] recalled that she would not sit down and get into the police vehicle while the officers were telling her to get into the vehicle. [REDACTED] recalled that PO [REDACTED] assisted PO [REDACTED] with putting her into the vehicle but that neither officer loosened the handcuffs.

After she was in the vehicle, the officers told [REDACTED] they were going to tow her car. She did not understand why they were doing that because she had shown proof of insurance. [REDACTED] said the officers were unable to start her car because she had the keys, so they did not take it. [REDACTED] noted that her information was on the computer in the officers' vehicle, and she did not know why PO [REDACTED] said he could not find her. [REDACTED] continued to ask the officers to loosen her handcuffs while they were en route to the police station, but they refused to do so. According to [REDACTED] PO [REDACTED] suggested they stop to loosen the handcuffs, but PO [REDACTED] said no. [REDACTED] said PO [REDACTED] drove the vehicle and ran "every red light but one"<sup>8</sup> on the way to the station but the police lights weren't activated. [REDACTED] described PO [REDACTED] as being uncomfortable driving in that manner, but PO [REDACTED] insisted. [REDACTED] said PO [REDACTED] was also uncomfortable

<sup>2</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>3</sup> Attempts to interview [REDACTED] who is [REDACTED] boyfriend and a witness to this incident, were unsuccessful. (Att. 30)

<sup>4</sup> Att. 6, 13.

<sup>5</sup> [REDACTED] was able to call her father, [REDACTED] to tell him what was happening. [REDACTED] came outside and was a witness to a portion of the incident.

<sup>6</sup> Att. 13, page 11, line 3

<sup>7</sup> Att. 13, page 13, lines 14-15

<sup>8</sup> Att. 13, page 17, line 3

not loosening her handcuffs. Once they got to the 6<sup>th</sup> District station, [REDACTED] again asked the officers to loosen the handcuffs, but PO [REDACTED] again said no. [REDACTED] said she requested a sergeant and to go to the hospital and both were denied. She later went to Cook County Hospital and was treated for tissue damage.

On April 1, 2016, witness [REDACTED]<sup>9</sup> provided a statement to IPRA. [REDACTED] is the father of [REDACTED] who called him on the evening of March 29, 2016, and said she was stopped by police outside the house for a tail light being out. [REDACTED] said when he was on the phone walking out the door to the incident, he overheard his daughter asking to see the tail light that was allegedly out and asking for a sergeant. [REDACTED] did not see the officers arrest his daughter or put her in the vehicle. He asked PO [REDACTED] for a sergeant, but PO [REDACTED] did not respond. The officers would not answer [REDACTED] questions about why [REDACTED] was being arrested or what she was charged with. [REDACTED] noted that one of [REDACTED] taillights was out, which he attributed to driving over potholes. [REDACTED] later went to the 6<sup>th</sup> District station to ask the same questions, but the officers at the desk refused to answer, citing [REDACTED] privacy.

On August 9, 2016, the accused PO [REDACTED] # [REDACTED] provided a statement to IPRA. PO [REDACTED] related that on March 29, 2016 he and PO [REDACTED] conducted a traffic stop at [REDACTED] Street because PO [REDACTED] noticed a black Toyota with a burnt tail light. After stopping the Toyota, PO [REDACTED] approached the driver, now known to be [REDACTED]. PO [REDACTED] related he asked [REDACTED] for her driver's license and she related that she didn't have it on her. [REDACTED] was compliant with him and answered his questions. PO [REDACTED] ran [REDACTED] name based on the information she gave him and learned that she did have a valid license. PO [REDACTED] told PO [REDACTED] that he was just going to write [REDACTED] a ticket for the burnt tail light and give her a warning about not having her driver's license with her.

After PO [REDACTED] completed the ticket, he moved to get out of the car to bring it to [REDACTED]. PO [REDACTED] said he would hand [REDACTED] the ticket. PO [REDACTED] did not directly observe PO [REDACTED] hand the violation to [REDACTED] but he saw PO [REDACTED] return to the squad car and put the ticket on the passenger seat before going back to [REDACTED] vehicle. PO [REDACTED] did not know exactly what happened, but he saw [REDACTED] step out of her vehicle. PO [REDACTED] related that he thought [REDACTED] wanted to see the burnt tail light. He saw her interaction with PO [REDACTED] but could not hear any of the conversation.

PO [REDACTED] got out of the police vehicle when he saw [REDACTED] turn around and saw that PO [REDACTED] was attempting to handcuff her. PO [REDACTED] heard PO [REDACTED] tell [REDACTED] to stop resisting and to put her hands behind her back. PO [REDACTED] saw [REDACTED] swinging her arms to resist being handcuffed. PO [REDACTED] recalled [REDACTED] asking for a lawyer at this time. PO [REDACTED] saw a cell phone in [REDACTED] hand at one point and it appeared that she was recording the incident. He did not see PO [REDACTED] take the phone from her.

PO [REDACTED] was able to eventually handcuff [REDACTED]. PO [REDACTED] recalled staying by the side of their vehicle to open the door, so PO [REDACTED] could put [REDACTED] in the car. [REDACTED] kept one

<sup>9</sup> Att. 15.

<sup>10</sup> Att. 65.

of her legs out of the car and refused to get fully inside. PO [REDACTED] went to the opposite side of the car to pull her in from the inside while PO [REDACTED] tried to unhook her foot from the bottom of the door. PO [REDACTED] called for additional officers to assist them. Other officers arrived and helped them get [REDACTED] into the car. PO [REDACTED] did not recall [REDACTED] asking for a supervisor, but he recalled that she asked for a lawyer repeatedly throughout their time on the scene.

A crowd was beginning to gather, so the officers left the scene. While they drove to the station, [REDACTED] complained that her handcuffs were too tight. PO [REDACTED] did not have his lights and sirens activated, but he went through a red light<sup>11</sup> because he wanted to get [REDACTED] to the station quickly, so they could loosen the handcuffs. PO [REDACTED] may have gone through other red lights as well, but he only recalled that specific one because [REDACTED] asked him why he went through the light. PO [REDACTED] said that he did not stop to loosen [REDACTED] handcuffs because she had resisted them on the scene and he just wanted to get her to the station as soon as possible. PO [REDACTED] did not recall having any conversation with his partner about this, but he did report telling [REDACTED] about this plan. PO [REDACTED] related that [REDACTED] was quiet the rest of the way to the station, and he did not recall her complaining of any injuries during the ride.

Once they got to the station, the officers brought [REDACTED] inside and PO [REDACTED] removed her handcuffs. Someone called an ambulance for [REDACTED] but she refused treatment from the paramedics. PO [REDACTED] did not hear [REDACTED] complain of injuries and did not talk to the paramedics.

On August 18, 2016, the accused PO [REDACTED] # [REDACTED] provided a statement to IPRA. PO [REDACTED] related that on March 29, 2016 he and his partner, PO [REDACTED] stopped a vehicle being driven by [REDACTED] at approximately [REDACTED] St. PO [REDACTED] recalled PO [REDACTED] conducted a field interview with [REDACTED] informing her of the reason for the stop and asking for her license and proof of insurance. PO [REDACTED] recalled that [REDACTED] provided her insurance card but not her driver's license. While this was going on, PO [REDACTED] related he had some conversation with the male passenger (now known to be [REDACTED] but could not recall the exact conversation.

PO [REDACTED] and PO [REDACTED] went back to the police car to run [REDACTED] name and license plate. PO [REDACTED] related that PO [REDACTED] again approached [REDACTED] and asked if she had any ID with a picture on it, which she did not. PO [REDACTED] related he told PO [REDACTED] that they had to take her into the station because they couldn't I-bond her on the street. PO [REDACTED] related he explained to [REDACTED] she was going to get two tickets, one for the taillight and one for not having her license with her. PO [REDACTED] recalled that [REDACTED] became verbally/emotionally upset. PO [REDACTED] related [REDACTED] was saying that she wanted to call her dad, her lawyer, and wanted a supervisor. PO [REDACTED] related he told [REDACTED] that it was just a ticket, they had to take her to the station, and that she could talk to a supervisor at the station. PO [REDACTED] related he did not call a supervisor because requesting a supervisor is usually an emotional reaction from people. Because of the way [REDACTED] was acting, PO [REDACTED] felt he needed to get her into the squad car and back to the station where she could then talk to a supervisor.

<sup>11</sup> PO [REDACTED] stated that he only recalled this specific light because [REDACTED] asked about it. He may have gone through other red lights as well, which he said was his decision.

<sup>12</sup> Att. 73.

PO [REDACTED] told [REDACTED] she had to put her hands behind her back and she refused. PO [REDACTED] related [REDACTED] had her phone in her hand at that time. PO [REDACTED] went to grab [REDACTED] arm and she pulled away from his grasp. PO [REDACTED] related that he told [REDACTED] not to resist and they were just giving her traffic tickets. PO [REDACTED] related that he applied a wrist lock to put the handcuffs on [REDACTED]. PO [REDACTED] related he was able to get the handcuffs onto [REDACTED] but was not able to double lock it to prevent her from accidentally tightening her cuffs by moving around. PO [REDACTED] related he told [REDACTED] he was going to take her phone, which he did. He inventoried it later at the station.

PO [REDACTED] related as he was escorting [REDACTED] to the police vehicle, she began to pull away. He again told her to stop resisting. PO [REDACTED] related PO [REDACTED] stayed by the rear passenger side of [REDACTED] vehicle, near where [REDACTED] was standing and filming the incident. PO [REDACTED] related he attempted to put [REDACTED] in the rear passenger side of the squad car, but [REDACTED] would initially only put one leg in the squad car. PO [REDACTED] related [REDACTED] was hooking her right foot underneath the passenger side door. PO [REDACTED] called for backup. PO [REDACTED] related PO [REDACTED] arrived and assisted PO [REDACTED] in putting [REDACTED] in the car. In order to get [REDACTED] into the squad car, PO [REDACTED] had to go to the driver's side and pull her inside by grabbing her biceps and pulling her into the car. PO [REDACTED] related he told [REDACTED] everything that he was going to do to her before he did it.

Once they got [REDACTED] into the car, PO [REDACTED] told [REDACTED] why [REDACTED] was being taken to the station. PO [REDACTED] said he asked [REDACTED] if he had a license so he could move [REDACTED] car because it was partially blocking the alley, but [REDACTED] said he wouldn't move it. PO [REDACTED] got into the car to park it legally but was unable to do so because there were no keys in the car. At this time, PO [REDACTED] related [REDACTED] father appeared on scene and wanted to know where his daughter was and why PO [REDACTED] was in her car. PO [REDACTED] described [REDACTED] father as upset and yelling. PO [REDACTED] explained about the traffic stop and that he could not provide any further information because [REDACTED] was an adult.

PO [REDACTED] then got into the passenger's seat of the squad car and PO [REDACTED] drove them and [REDACTED] back to the 6<sup>th</sup> District. PO [REDACTED] related that he instructed PO [REDACTED] to safely proceed through the intersections on the way back to the station to get back to the station as fast as possible because [REDACTED] was extremely combative. PO [REDACTED] recalled telling PO [REDACTED] to turn on their emergency lights as he proceeded through red lights and then turn them off again once he was through the intersection. PO [REDACTED] related [REDACTED] was upset the officers were running red lights, but they explained they were trying to get her to the station as soon as possible. PO [REDACTED] related [REDACTED] was complaining of her handcuffs being too tight in the car. The officers did not stop to loosen the handcuffs because [REDACTED] had actively resisted them and they did not want to risk her resisting again.

PO [REDACTED] related they got to the station and he and his partner escorted [REDACTED] inside. Female officers unhandcuffed [REDACTED] and searched her. PO [REDACTED] related [REDACTED] was complaining of injuries and someone called her an ambulance. PO [REDACTED] related the paramedics came into the station and [REDACTED] complained to them about her arm hurting. PO [REDACTED] related he never saw the injury. PO [REDACTED] related the paramedics offered to take [REDACTED] to the hospital but she refused. PO [REDACTED] related he issued [REDACTED] two tickets and then I-bonded her out after processing her.

On August 8, 2016, the witness PO [REDACTED] # [REDACTED] provided a statement to IPRA. PO [REDACTED] related that on March 29, 2016, he and PO [REDACTED] responded to a call to assist another unit (PO [REDACTED] and PO [REDACTED]) on a traffic stop. There was a small crowd of people at the scene, both officers and civilians. PO [REDACTED] related he observed an arrestee ([REDACTED] [REDACTED] in the back seat of the police vehicle. PO [REDACTED] could not recall if he saw PO [REDACTED] or PO [REDACTED] interact with [REDACTED]. He recalled that [REDACTED] was yelling but did not remember specifically what she said. PO [REDACTED] was on the scene for approximately 5-8 minutes before leaving. PO [REDACTED] did not see any officer commit any of the alleged violations.

On August 24, 2016, witness PO [REDACTED] # [REDACTED] provided a statement to IPRA in which he provided essentially the same information as his partner, PO [REDACTED]. PO [REDACTED] did not see any officer commit any of the alleged violations.

On December 1, 2016, witness PO [REDACTED] # [REDACTED] provided a statement to IPRA. PO [REDACTED] related that on March 29, 2016 he and his partner, PO [REDACTED]<sup>16</sup> responded to [REDACTED] Street to assist with a prisoner who was refusing to put her feet in the car. When they arrived, PO [REDACTED] recalled seeing PO [REDACTED] and his partner. PO [REDACTED] observed a female African American, now known to be [REDACTED] in the back of a police car with one foot outside. PO [REDACTED] related that he observed [REDACTED] was handcuffed and irate in the back of the police car. PO [REDACTED] heard PO [REDACTED] instruct [REDACTED] to put her feet inside the car. PO [REDACTED] related he also instructed [REDACTED] to put her feet inside the car and told her that it was only a traffic ticket and wasn't that serious. PO [REDACTED] recalled that, after a brief hesitation, [REDACTED] complied and put her feet inside the car. The officers all left the scene soon after that. PO [REDACTED] did not recall hearing [REDACTED] asking for a lawyer or supervisor, nor did he recall hearing her complain of pain or that the handcuffs being too tight.

#### b. Digital Evidence

The in-car camera of Beat [REDACTED]<sup>17</sup>, PO [REDACTED] and PPO [REDACTED] for this incident did not show physical contact between [REDACTED] and the officers.

[REDACTED] provided a cell phone video<sup>18</sup> that captured 2 minutes and 7 seconds of the incident. The individual holding the camera (presumably [REDACTED]) is moving the entire time so no officers or civilians are clearly seen. As the video begins, a male is heard asking [REDACTED] to stop moving. Another male voice can be heard saying stop resisting several times. A female voice is heard asking for a sergeant. At one point a male voice responds that this is a simple traffic stop.

[REDACTED] provided photographs<sup>19</sup> that show an abrasion to her left wrist.

<sup>13</sup> Att. 60.

<sup>14</sup> Att. 75.

<sup>15</sup> Att. 84.

<sup>16</sup> PO [REDACTED] did not interact with [REDACTED] and was not interviewed for this investigation.

<sup>17</sup> Att. 43. A request for in-car camera recordings from responding Beats [REDACTED] and [REDACTED] came back negative.

<sup>18</sup> Att. 32.

<sup>19</sup> Att. 36.

Evidence Technician photographs<sup>20</sup> taken at IPRA on April 1, 2016, show the same abrasion on [REDACTED] left wrist.

#### c. Physical Evidence

The medical records<sup>21</sup> of [REDACTED] from Cook County Hospital indicate she complained of a left wrist injury, which she attributed to a police officer putting handcuffs on her tightly. [REDACTED] was diagnosed with left wrist sprain and abrasion.

#### d. Documentary Evidence

The Arrest Report<sup>22</sup> shows [REDACTED] was arrested on March 29, 2016 at 9:25 p.m. at [REDACTED] St. and charged with Driving an Unsafe Vehicle, Failure to Carry/Display a Driver's License, and Resisting/Obstructing.<sup>23</sup> The report indicates that officers observed [REDACTED] vehicle being driven with a tail light out and curbed the vehicle. [REDACTED] did not produce a driver's license. She stepped out of the vehicle, refused orders to put her hands behind her back, and asked for her lawyer. PO [REDACTED] grabbed [REDACTED] arm to place handcuffs on her and [REDACTED] pulled away. PO [REDACTED] conducted a wrist lock to handcuff [REDACTED]. When PO [REDACTED] attempted to put [REDACTED] into the police vehicle, [REDACTED] refused to get in and requested a lawyer and a supervisor. [REDACTED] blocked the officers from closing the door by putting her feet under the door. The officers moved her feet, secured her in the car, and transported her to the station. The report noted swelling to [REDACTED] wrist/arm prior to arriving in lockup and indicated that an ambulance was called at her request because of pain.

PO [REDACTED] Tactical Response Report<sup>24</sup> described that [REDACTED] resisted by not following verbal direction, stiffening her body, and pulling away. PO [REDACTED] responded by member presence, verbal commands, escort holds, and a wristlock. [REDACTED] declined to make a statement about the use of force and requested her lawyer. Lieutenant [REDACTED] observed no visible signs of injury and [REDACTED] did no complain of injury.

The Original Case Incident Report<sup>25</sup> ([REDACTED]) contains the same information as the arrest report.

## VI. ANALYSIS

### a) Police Officer [REDACTED] star # [REDACTED]

#### i. Regarding the allegation that PO [REDACTED] failed to contact a supervisor when [REDACTED] requested

<sup>20</sup> Att. 38.

<sup>21</sup> Att. 42.

<sup>22</sup> Att. 20.

<sup>23</sup> [REDACTED] received traffic citations for Failure to Carry Driver's License and Unsafe Vehicle. (Att. 12) These citations and the Resisting/Obstructing charge were dismissed on April 25, 2016. (Att. 46)

<sup>24</sup> Att. 22.

<sup>25</sup> Att. 23.

There is no specific CPD policy that refers to whether a police officer must request a supervisor when an arrestee asks them to do so. PO [REDACTED] reported in his interview with COPA that [REDACTED] requested a supervisor. In completing the paperwork for this arrest, PO [REDACTED] reported in both the incident and arrest report that [REDACTED] requested a supervisor. PO [REDACTED] reported to COPA and in the paperwork for this incident that [REDACTED] could speak with a supervisor at the police station. In arresting an individual, the officers have a responsibility to arrest and transport them safely to the lockup; they are not required to call a supervisor to the scene of an arrest at an arrestee's request. Also, [REDACTED] was resisting arrest and therefore the officers had to act quickly. Therefore, this allegation is **Exonerated**.

**ii. Regarding the allegation that PO [REDACTED] handcuffed [REDACTED] too tightly**

The standard for analyzing these issues can be found in G03-02(III)(C) Use of Force Guidelines which states, "As set forth by the United States Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), the central inquiry in every use of force is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer.

1. Reasonableness is not capable of precise definition or mechanical application. Circumstances that may govern the reasonableness of using a particular force option include, but are not limited to:
  - a. the severity of the crime at issue,
  - b. whether the subject poses an immediate threat to the safety of officers or others,
  - c. whether the subject is actively resisting arrest or attempting to evade arrest by flight.
2. The reasonableness of a particular use of force will be judged under the totality of the circumstances viewed from the perspective of a reasonable officer on the scene. These policies encouraged using the least amount of appropriate force in interactions."

The photographs taken by CPD evidence technicians on April 1, 2016, show a small abrasion to [REDACTED] left wrist. [REDACTED] was also treated at Cook County Hospital immediately following her arrest and was diagnosed wrist sprain and an abrasion to the left wrist. During the arrest, [REDACTED] resisted the officers detaining her by attempting to call a lawyer while officers were trying to handcuff her, and not following PO [REDACTED] commands to stop resisting. [REDACTED] also was not cooperative when officers were putting her into the car to the extent that PO [REDACTED] had to assist PO [REDACTED] in putting [REDACTED] into the car. [REDACTED] used her foot to block the officers from being able to close the squad car. PO [REDACTED] reported [REDACTED] resisted arrest in not obeying commands, in pulling away, and in stiffening her body. Considering the totality of the circumstances, PO [REDACTED] used reasonableness in handcuffing [REDACTED] and [REDACTED] resisting may have contributed to her injury. PO [REDACTED] acknowledged that he did not have a chance to double-lock the handcuffs, which could have prevented them from tightening. COPA is unable to prove

whether the handcuffs were too tight, as [REDACTED] alleges, or that PO [REDACTED] used excessive force in handcuffing her, therefore, this allegation is **Not Sustained**.

**iii. Regarding the allegation that PO [REDACTED] failed to loosen the handcuffs when [REDACTED] requested**

[REDACTED] and both officers heard [REDACTED] requesting the handcuffs be loosened at the scene. PO [REDACTED] also recalled that on the way to the 6th district lockup, [REDACTED] did ask for the handcuffs to be loosened but that the officers did not want to risk her resisting again. COPA is unable to determine whether it was safe for PO [REDACTED] to loosen her handcuffs because [REDACTED] could have again resisted, therefore this allegation is **Not Sustained**.

**iv. Regarding the allegation that PO [REDACTED] pulled and pushed [REDACTED] into the squad car**

PO [REDACTED] reported [REDACTED] resisted arrest in not obeying commands, in pulling away, and in stiffening her body. Per G03-02(III)(C) Use of Force Guidelines, PO [REDACTED] was responding to both passive and active resisting by [REDACTED] and pushing and pulling can occur in effecting an arrest with a resisting arrestee. Further, PO [REDACTED] reported both [REDACTED] actions and his on his Tactical Response Report. In considering the totality of circumstances, PO [REDACTED] was within policy to push and pull [REDACTED]. Therefore, this allegation is **Exonerated**.

**v. Regarding the allegation that PO [REDACTED] issued two traffic citations to [REDACTED] without justification**

[REDACTED] was cited for 625 ILCS 5.016-112 Failure to Carry Driver's License and 9-40-170 Unsafe Vehicle. [REDACTED] admitted to not having her driver's license on her. [REDACTED] reported in his interview with IPRA that he observed the tail light was out, which he attributed to the city of Chicago not fixing the roads. Although the tickets were eventually dismissed in court, they were valid at the time of issuance. Therefore, PO [REDACTED] was justified in issuing these citations and this allegation is **Exonerated**.

**b) Police Officer [REDACTED] star # [REDACTED]**

**i. Regarding the allegation that PO [REDACTED] failed to contact a supervisor when [REDACTED] requested**

There is no specific CPD policy that refers to whether a police officer must request a supervisor when an arrestee asks for them to do so. PO [REDACTED] reported he did not recall if she had requested a supervisor. In arresting an individual, the officers have a responsibility to do arrest and transport them safely to the lockup; they are not required to call a supervisor to the scene of the arrest at an arrestee's request. Also, [REDACTED] was resisting arrest and therefore the officers had to act quickly. Therefore, this allegation is **Exonerated**.

ii. **Regarding the allegation that PO [REDACTED] Drove the police vehicle through red lights at intersections with no emergency lights activated, while [REDACTED] was seated in the backseat**

Per General Order G03-03-02 Emergency Vehicle Operations – Nonpursuits (III)(A) “Marked vehicles when engaged in nonpursuit emergency vehicle operation, the operator of a marked vehicle will:

1. activate the emergency-roof lights;
2. activate the siren in advance of encountering any traffic obstruction or to alert others of the approach of his or her vehicle;

NOTE: When in close proximity to a crime scene, the operator may exercise discretion in the use of lights and siren.

3. adhere to basic traffic-safety practices;
4. operate the vehicle at a speed and in a manner compatible with weather and local conditions to ensure that control of the vehicle is maintained at all times;
5. proceed through intersections or traffic signals only after determining it is reasonable and safe to proceed;”

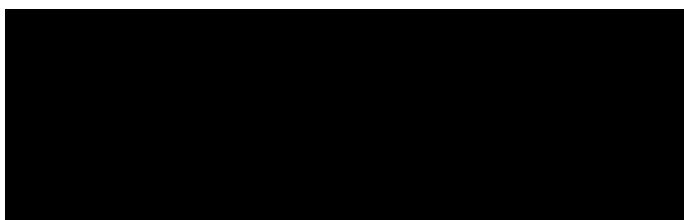
COPA is unable to determine whether PO [REDACTED] had his lights and sirens activated. [REDACTED] related that the lights and sirens were not on. However, it is at the officer’s discretion whether to use lights and sirens near a crime scene. The policy further states that the officer may proceed through intersections or traffic signals only after determining it is reasonable and safe to proceed. In his interview with IPRA, PO [REDACTED] related that he told [REDACTED] he was trying to hurry to the station because she was saying her handcuffs were too tight. PO [REDACTED] related that the only time he recalled [REDACTED] complaining about the handcuffs was when he ran the red light. PO [REDACTED] related that he does not recall running any other red lights. PO [REDACTED] said he cannot recall speeding; PO [REDACTED] related his top speed was approximately 30 mph. Because IPRA was unable to determine whether the emergency lights and sirens were activated, and since the officer can use discretion in activating these lights, as well as stopping at traffic lights, this allegation is **Not Sustained**.

## VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	<ol style="list-style-type: none"><li>1. Failed to contact a supervisor when [REDACTED] requested in violation of Rule 10.</li><li>2. Handcuffed [REDACTED] too tightly in violation of Rules 8 and 9.</li><li>3. Failed to loosen the handcuffs when [REDACTED] requested in violation of Rules 8 and 9.</li><li>4. Pulled and pushed [REDACTED] into the squad car in violation of Rules 8 and 9.</li><li>5. Issued two traffic citations to [REDACTED] without justification in violation of Rule 2.</li></ol>	<p>Exonerated</p> <p>Not Sustained</p> <p>Not Sustained</p> <p>Exonerated</p> <p>Exonerated</p>
Officer [REDACTED] [REDACTED]	<ol style="list-style-type: none"><li>1. Failed to contact a supervisor when [REDACTED] requested in violation of Rule 10.</li><li>2. Drove the police vehicle through red lights at intersections with no emergency lights activated, while [REDACTED] was seated in the backseat in violation of Rule 11.</li></ol>	<p>Exonerated</p> <p>Not Sustained</p>

Approved:



January 31, 2019

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Date

*Deputy Chief Administrator – Chief Investigator*

**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	1
<b>Investigator:</b>	[REDACTED]
<b>Supervising Investigator:</b>	[REDACTED]
<b>Deputy Chief Administrator:</b>	[REDACTED]